Home Care Services Consumer Protection Act

Stakeholders Meeting

February 6, 2018

Home Care Services Executive Team

Pam Dickfoss
Deputy Director
Community Care Licensing Division

Ellie Jones
Assistant Deputy Director
Community Care Licensing Division

Evon Lenerd, Chief Continuing Care Branch

Greg Oliva, Chief Central Operations Branch

Home Care Services Bureau (HCSB)

McCaulie Feusahrens, Chief Home Care Services Bureau

Karen Cross Manager

Rochelle Sherbert Analyst

> Steve David Analyst

Tiffini Divens Analyst

Sheila Glover Analyst

Sarah Sanders Analyst

> Vacant Analyst

Jackie Galvin Manager

Vacant

Support Staff

Vacant

Support Staff

Matt Lugo Analyst

Analyst

Jessica Swol Analyst

Lauren Wager Analyst

Analyst

Barbora Rejmanek **Analyst**

Cindy Tibbetts Manager

Jack Burt **Analyst**

Meghan Anderson **Analyst**

Carmen Jasper Support Staff

Ruben Perez **Analyst**

Francina Williams Analyst

Margo Chipman Support Staff

Ramsey Chimienti **Analyst**

> Brandon Montgomery **Analyst**

Alejandro Martin

Support Staff

Susan

Love

Support Staff

Shelby Whedon

Vacant

Caregiver Background Check Bureau (CBCB)

Vacant, Chief Caregiver Background Check Bureau

> Renee Neal Assistant Chief

Terece Williams Manager Ron Chavez AOSS Manager

Kaushik #4
Analyst

Gerri #15

Analyst

Wendy #25

Analyst

Rebecca #16

Meryl #
Analyst

Jon #2 Analyst Debra Support Staff

Sara Support Staff

Marolyn Support Staff

Objectives

- Provide updates
- ▶ Provide information on the regulation process
- Provide information on HCO renewals

Updates

Updates

- ► HCSB receiving approximately 500 calls per day
- ► HCO Applications
 - ► Applications Received: <u>1,740+</u>
 - Licenses Issued: 1,490+
 - ► Conditional Licenses Issued: <u>10+</u>
- ► HCA Applications
 - ► Applications received: <u>150,000+</u>
 - ► Showing registered on the Registry: <u>117,000+</u>
 - ► HCAs denied, closed, revoked, forfeited: 27,000+

Updates (cont'd)

- ► HCO Visits
 - ▶ Visits to date: <u>720+</u>
 - ▶ Pilots are going well!
 - ▶ On track to meet the two year deadline

Regulations

The Rulemaking Process (Regulations) **LEGISLATURE GRANTS** STATE **AUTHORITY TO ADOPT AGENCY REGULATIONS TO STATE AGENCY NOTICE OF** PRELIMINARY ACTIVITIES RULEMAKING RECORD Special Consideration Fiscal Impact **INITIAL STATEMENT OF REASONS** RULEMAKING RECORD OPEN **TEXT OF REGULATIONS PUBLISHES &** Minimum 45 **ISSUES NOTICES** day public comment **PUBLIC** period **HEARING** Agency holds public **AGENCY CONSIDERS COMMENTS FINAL STATEMENT OF** hearing scheduled or by **REASONS** CHANGES MADE TO REGULATIONS? request **EMERGENCY REGULATIONS** SUMMARY OF RESPONSE TO **COMMENTS:** substantial & non-substantial sufficiently related Changed to accommodate Major or no changes Changes: New 45 day 15 DAY-COMMENT PERIOD: notice **Agency Adopts** Agency mails Notice of Proposed Changes **Regulations** RULEMAKING RECORD CLOSED

Emergency vs Normal Regulation Process

- ► The emergency regulation process is the same as the normal regulation process except that in the normal process the 45-day comment period and 15-day re-notice period(s) all come <u>before</u> the regulations are adopted.
 - ► Emergency process requires the comment period(s) to occur after the regulations are released.
 - ► The emergency regulations were issued on an emergency basis effective 1/1/18
 - ► CDSS has 180 days from the effective date (by 6/29/18) to get "certification of compliance" to OAL

Emergency Regulations Steps

- ► Current Step: CDSS completing the Public Notice.
- ► After the release of the Public Notice, there is a 45-day public comment period
 - ► CDSS encourages all comments/feedback
 - Submit in writing or via email
 - ► All comments received during the 45-day period will be addressed by the Department

Emergency Regulations Steps (cont'd)

- ➤ 15-day re-notice will follow allowing for another public comment period (15 days) for further comments/changes
 - ► The 15-day re-notice process repeats itself until the Department no longer receive substantive comments on changes
- Once no more comments are received, we certify the regulations with AOL and they become final

Renewal Information

New Fees

- New fees commenced on January 1, 2018
- ► HCO fee:
 - > \$5,603 for initials and renewals
- ► HCA fee:
 - > \$35 for initials and renewals

HCO Renewals

- Notification/Letters
 - Letters 60-90 days prior to the expiration of the HCO's license and will:
 - ► Contain fee amount owed to the Department
 - ▶ Biennial application fee and any unpaid fees for Civil Penalties, Change of Location, Change within Corporation, Dishonored Check Fee, etc.
 - ▶ Provide a PIN number for online payment
 - ▶ List of forms needed for inclusion in the application
 - ► Exploring options to send emails as well

HCO Renewals (cont'd)

- ► HCO will be able to pay online or manually
 - Online must pay with credit card
 - ► Manual must pay with check or money order
- ► Application must be submitted manually and will include:
 - ► HCS 200
 - ► HCS 600
 - Insurance Information (Workers Comp, General Professional & Liability, Dishonesty Bond)

HOME CARE ORGANIZATION PERSONNEL REPORT

INSTRUCTIONS: As a part on the renewal application, licensees must complete the below information for all personnel working for/in the Home Care Organization.

ME CARE ORGANIZATION NAME					HOME CARE ORGANIZATION NU	IMBER
OME CARE ORGANIZATION ADDRESS			LICENSURE DATE	:	PREPARED BY	
PERSONNEL ID (PER ID)	FIRST NAME	LAST NAME	PER TYPE (L, E, H)	DATE OF HIRE	DATE OF MOST RECENT TB	TRAINING HOURS TO DATE
					_	
			7 4			

Helpful Information

- ▶ To receive notices that pertain to this rulemaking effort:
 - ► Provide email to <u>HCSB@dss.ca.gov</u>
 - ► Subject: Add to Regulation Email List
- Check Office of Regulation Development's (ORD) website for updates on the regulation process: http://www.cdss.ca.gov/inforesources/Letters-Regulations/Legislation-and-Regulations/CDSS-Regulations
 Changes-In-Process-and-Completed-Regulations
- For more information on the Administrative Procedures Act (APA) process, go to www.oal.ca.gov

Next Steps

References

Home Care Services Bureau

http://www.ccld.ca.gov/PG3654.htm

Caregiver Background Check Bureau

http://www.ccld.ca.gov/PG399.htm

Health and Safety Code http://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml

Acronyms

Acronym	Term		
AB	Assembly Bill		
CBCB	Caregiver Background Check Bureau		
CCLD	Community Care Licensing Division		
CDSS	California Department of Social Services		
DOJ	Department of Justice		
EM	Evaluator Manual		
FAQ	Frequently Asked Questions		
H&SC	Health and Safety Code		
HCA	Home Care Aide		
HCO	Home Care Organization		
HCS	Home Care Services		
HCSB	Home Care Services Bureau		
HCSCPA	Home Care Services Consumer Protection Act		
LPA	Licensing Program Analyst		
RO	Regional Office		
TL	TrustLine		

Contact Us

For more information regarding the Home Care Services Consumer Protection Act, please contact the Home Care Services Bureau by e-mail at HCSB@dss.ca.gov or by telephone at (916) 657-2592.